

THE HON'BLE DR. JUSTICE G.YETHIRAJULU

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WRIT PETITION NO : 14372 of 1994

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DATED: 17.11.2005

Between:

B. Srinivasulu

... PETITIONER

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AND

APSEB, rep., by its Member Secretary,
Viduth Southa, Hyderabad & others.

... RESPONDENTS

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The petitioner approached this Court through this writ petition seeking to

declare the action of the 4th respondent in reverting him from Sarang Grade I to Sarang Grade II, vide Memo No.DE/MRT/CDP/ADM/d.No.544/94, dated 01.08.1994, as illegal, arbitrary and direct the respondents to continue the petitioner as Sarang Grade I, as per the memo of the 4th respondent, dated 20/21-07-1994, with all consequential benefits.

The grievance of the petitioner is that he joined the service of the respondent board as Helper in the year 1972 and was promoted as Filter Mechanic and subsequently to Sarang Grade II. After putting eight years of service of Sarang Grade II, he requested the respondents to promote him as Sarang Grade-I. The promotion to the post of Sarang Grade-I is done by a Departmental Promotion Committee and the 4th respondent is the competent authority for issuing the order of promotion. He further submitted that his case for promotion was considered by the departmental committee on 15.02.1991, but he was not selected on the ground that he has not completed the requisite experience of six years. However, the Departmental Promotion Committee through its proceedings, dated 14.07.1994, found him eligible for being promoted as Sarang Grade-I in the vacancy which occurred due to retirement of Sri L.Narappa, Sarang Grade-I. Accordingly, the 4th respondent issued a Memo, dated 20/21.07.1994, promoting the petitioner to the post of Sarang Grade-I and he assumed charge as Sarang Grade-I. Subsequently, the 4th respondent issued the impugned memo, dated 01.08.1994, purporting to cancel his promotion orders and reverted him as Sarang Grade-II without assigning any reasons and without issuing any notice or giving an opportunity before passing the said order. Therefore, he approached this Court seeking to declare the order of reversion as illegal and arbitrary.

Learned counsel for the respondents represented that as per the report of the Departmental Promotion Committee as well as the interim direction of this Court, dated 05.08.1994, passed in WPMP.No.17620 of 1994, the petitioner was allowed to continue as Sarang Grade-I and the reversion order vide Memo, dated 01.08.1994, was cancelled.

In the light of the submissions made by the learned counsel for the respondents, no further orders are required to be passed in this writ petition.

Accordingly, the writ petition is disposed of. No order as to costs.

17.11.2005

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